THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 102 OF 2007

DATED: 03-01-2007

Between:

M/s. Saroj Talkies,
Near Railway gate, Warangal,
Rep. by its Managing Partner
Dr. R. Suresh Kumar, S/o. Narayana …
Petitioner

And

The Government of A.P., rep.by it's Secretary,
Home Department, Secretariat Buildings,
Hyderabad and two others

… Respondents

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WRIT PETITION NO. 102 OF 2007

ORDER:

Heard the learned counsel for the petitioner and learned Government Pleader for Home.

The substantive grievance of the petitioner in this writ petition is as regards the failure of the first respondent in disposing of either the petitioner's appeal or the application for interim relief.

The second respondent by an order dated 20-07-2006 cancelled the 'B' form licence of the petitioner's theatre. Aggrieved thereby, the petitioner preferred a statutory appeal before the first respondent under Rule 18 of the A.P. Cinemas (Regulations) Rules, 1970 on 21-08-2006. Along with the appeal, he also filed an application for interim stay of the second respondent's order dated 20-07-2006. On 27-10-2006, he submitted a representation to the first respondent seeking expeditious disposal of either the substantive appeal or the application for interim relief. There being no response,

the petitioner is before this Court.

In view of the averments in the writ petition, the conduct of the first respondent in not disposing of either appeal preferred by the petitioner or the application for interim relief, is irrational. The first respondent while exercising its judicial powers is obligated to dispose of either the appeal preferred by the petitioner or at least the application for interim relief expeditiously. It cannot postpone the exercise of the jurisdiction and powers as an appellate authority, interminably.

In the circumstances above, the first respondent is directed to consider and dispose of either the appeal preferred by the petitioner dated 21-08-2006 or the application filed along therewith seeking interim relief expeditiously, and in any event, within a period of seven (7) days from the date of receipt of a copy of this order. The reasoned decision of the first respondent either on the appeal or on the application for interim relief as the case may be, shall be communicated to the petitioner within the aforesaid time, without fail or demur.

Writ petition is disposed of as directed above. No order as to costs.

GODA RAGHURAM, J.

Dt: 03-01-2007

Note:

Issue C.C. with in three (3) days.

B/O

Rns.